

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE INSURANCE BROKERAGE
ANTITRUST LITIGATION

MDL No. 1663
Civ. No. 04-5184 (GEB)

RELATES TO ALL ACTIONS

ORDER

BROWN, Chief District Judge

This matter comes before the Court upon the following three motions:

(1) the motion of the Marsh Defendants (“Marsh”) to enforce final judgment and specifically enjoin the pursuit of two state court litigations by settlement class members Epix Holdings Corporation (“Epix”) and Office Depot, Inc. (“Office Depot”); [Docket # 1497]

(2) Epix’s motion to extend the time to file exclusion from the class action settlement and to alter or amend judgment; [# 1500]

(3) Office Depot’s motion to alter or amend the judgment and order of this Court entered on February 17, 2009, to exclude Office Depot from the Marsh settlement class. [# 1502] The Court has addressed all three motions in tandem. Having considered the parties’ submissions without oral argument pursuant to Federal Rule of Civil Procedure 78, and for the reasons set forth in the accompanying memorandum opinion;

IT IS THIS 24th day of July, 2009, hereby

ORDERED that Marsh’s motion is DENIED; [# 1497]

ORDERED that the motions of Epix and Office Depot are GRANTED; [# 1500; 1502]

ORDERED that Epix, its subsidiaries, and Office Depot are EXCLUDED from the February 17, 2009 Settlement Agreement between Marsh and Settlement Class Members.

/s/ Garrett E. Brown, Jr.
GARRETT E. BROWN, JR., U.S.D.J.